

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3/25/05
3/30/05 Applicant(s) : Teer, Dennis

Serial No. : 10/529,315

Cnfrm. No. :

2631
2633
2642
2617
2615-12 Filed : March 25, 2005

For : **A METHOD FOR DEPOSITING
MULTILAYER COATINGS**

) Examiner:

) Art Unit:

**ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS
AND REQUEST FOR REFUND BASED ON LATER ESTABLISHMENT OF SMALL
ENTITY STATUS PURSUANT TO 37 CFR §§ 1.27(c) AND 1.28(a)**

04/01/2005	FC:1631	-300.00	OP
04/01/2005	FC:1631	-200.00	OP
03/27/05	FC:1642	-400.00	OP
04/01/2005	FC:1617	-130.00	OP
05/01/2005	FC:1615	-600.00	OP

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 CFR § 1.27(c), applicant hereby notifies the U.S. Patent and Trademark Office ("PTO") that small entity status is entitled to be asserted for the above-identified patent application.

Although an assignment has not yet been recorded, the assignee, Applied Multilayers Ltd. (listed on the cover page of the corresponding PCT application), is entitled to small-entity status and hereby requests such status for the above-identified patent application.

On March 25, 2005, a fee of \$1630.00 was paid to cover the filing fee for U.S. national stage application under 35 U.S.C. § 371. The application fee due for a small entity is \$815.00. Accordingly, pursuant to 37 CFR § 1.28(a), applicant hereby requests a refund of \$815.00, the excess amount paid for the filing fee. Pursuant to 37 CFR § 1.28(a), the assertion regarding entitlement to small entity status and the request for refund are being made within three months of the date of timely payment of the filing fee due in the PTO.

Based on the foregoing, applicants respectfully request that a refund of \$815.00 be credited to Deposit Account No. 14-1138.

Respectfully submitted,

Date: April 29, 2005

Edwin V. Merkel
Edwin V. Merkel
Registration No. 40,087

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603
Telephone: (585) 263-1128
Facsimile: (585) 263-1600

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop 16, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____

4/29/05
Date

Laura L. Trost
Laura L. Trost

06/13/2005 RWHITE1 00000003 10529315

01 FC:2631	150.00 OP
02 FC:2633	100.00 OP
03 FC:2642	200.00 OP
04 FC:2617	65.00 OP
05 FC:2615	300.00 OP
Reg. Ref: 06/13/2005 RWHITE1 00000003	
DA#:141138 Name/Number:10529315	
FC: 9204	\$815.00 CR